

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JHOAN PICHARDO,

Defendant.

KIMBA M. WOOD, District Judge:

Defendant Jhoan Pichardo moves to reduce his sentence under 18 U.S.C. § 3582(c)(1)(A), seeking compassionate release in light of his medical conditions and the COVID-19 pandemic. Defendant's motion is dated April 13, 2020, but it not was received and docketed until May 18, 2020. (ECF No. 625.)

No later than May 29, 2020, the Government shall respond to Defendant's motion. With its response, the Government shall provide the following information, after conferring with the Bureau of Prisons ("BOP") and the United States Probation Office as appropriate:

1. Whether the Government opposes Defendant's motion;
2. Whether and on what dates the BOP received and responded to any request for compassionate release that the BOP received from Defendant;
3. The BOP's assessment of the factors listed in the Attorney General's Memorandum for Director of Bureau Prisons dated March 26, 2020 as they pertain to Defendant; who, if anyone, at the BOP assessed Defendant's risk factors for severe COVID-19 illness; and upon what information that person's assessment was made;

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17-CR-512 (KMW)
ORDER

4. The criteria used by the BOP to decide whom to test for COVID-19 at FCI Ft. Dix, where Defendant resides;
5. Approximately how many tests for COVID-19 have been conducted at FCI Ft. Dix;
6. The number of inmates and staff who have tested positive and the number of inmates and staff who have tested negative for COVID-19 at FCI Ft. Dix, both as absolute numbers and as a percentage of the total population of inmates and staff at FCI Ft. Dix;
7. Whether Defendant has been in close proximity to any inmate or staff member who has tested positive for COVID-19;
8. The Government's assessment of the factors set forth in 18 U.S.C. § 3553(a) as they pertain to Defendant;
9. The infection rate for COVID-19 in the Bronx, New York;
10. Defendant's disciplinary record in prison, risk of recidivism, risk of violence, and whether any conditions of supervised release should be imposed in the event Defendant is released;
11. Whether the BOP has considered or intends to consider Defendant for home confinement or furlough; by what date the BOP expects to make a determination regarding home confinement or furlough; and upon what specific information the BOP's determination will rely.

The Clerk of Court is directed to mail a copy of this Order to Defendant.

SO ORDERED.

Dated: New York, New York
May 19, 2020

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge